

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES,

Plaintiff,

v.

ROBERTO GUERRERO, doing business as  
MARTHA AND BROTHERS COFFEE,

Defendant.

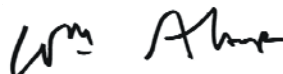
No. C 09-05637 WHA

**ORDER DISMISSING ACTION**

On August 27, 2010, the parties filed a notice of settlement, which stated that the parties had agreed to a settlement “which fully resolve[s] the claims herein,” and also stated: “Dismissal documents will be filed with the Court no later than sixty (60) days from the filing of this notice.” Nonetheless, a dismissal was never filed. On June 28, 2011, the parties were reminded of their upcoming trial and pretrial conference. Yet, no pretrial statement was filed in response to the notice, which pretrial statement is required by the standing orders of the assigned judge. In light of the foregoing, this action is **DISMISSED** for lack of prosecution and/or on account of the representation that this case has been settled long ago. All dates, including the pretrial conference and trial, are accordingly **VACATED**. The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: July 8, 2011.



WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE